

## REMARKS/ARGUMENTS

### Status of Claims

Claims 1-37 are pending. Claim 20 is amended to include subject matter from allowable claim 29. Claim 29 is cancelled. Claims 36 and 37 are withdrawn from further consideration.

### Allowable Subject Matter

Applicant thanks the Examiner for indication that claims 1-19 and 35 are allowed and that claims 23-34 would be allowable if rewritten in independent form. However, the Applicant believes that all claims are allowable.

### Rejection of claim 20 under 35 USC § 103(a) as being unpatentable over Hutchison IV et al (US 6118250)

Applicant herein amends claim 20 to include the features indicated as allowable in the final office action in claim 29. Specifically, claim 20 recites a method for recharging a rechargeable battery in a digital device comprising determining whether a voltage of the rechargeable battery is greater than 5 volts, and if so, determining that the battery is partially discharged and performing a recharge operation according to a state of the digital device being used, *wherein performing a recharge operation according to the state of the digital device being used comprises determining a consuming current, outputting a pulse width modulation control signal according to a magnitude of the consuming current, and supplying a recharging current according to the pulse width modulation control signal to the rechargeable battery for recharging.*

Hutchinson fails to disclose, teach or suggest these claimed features.

Specifically, Hutchinson fails to disclose, teach or suggest a recharge operation *according to a state of the digital device being used.* Rather, Hutchinson merely teaches a recharge method without regard to a state of a digital device. The Examiner alleges, in the Response to Argument section of the office action, that the device simply being turned “on” is equivalent to being a state of the digital device being used. Applicant submits that just because a device is in the “on” state doesn’t disclose, teach or suggest *determining that the battery is partially discharged and performing a recharge operation according to a state of*

*the digital device being used*, as recited in claim 20. Additionally, the recharge method taught by Hutchinson in figure 5 only accounts for a battery voltage as shown in decision steps 204 and 210. Hutchinson's method does not account for a state of a digital device being used.

The Examiner cites to column 3, lines 12-16 of Hutchinson as disclosing the performance of a recharge operation according to a state of the digital device being used. However, the cited portion of Hutchinson merely discloses that an internal battery is fast-charged to near full capacity once its voltage exceeds a threshold and that an external battery is trickle charged then fast charged.

Hutchinson fails to disclose, teach or suggest, either explicitly or implicitly all the features of claim 20. Accordingly, claim 20 is allowable.

**Rejection of claims 21 and 22 under 35 USC § 103(a) as being unpatentable over Hutchinson IV et al (US 6118250) in view of Matsuda et al (US 5739667)**

Applicant respectfully traverses this rejection.

Claims 21 and 22 are allowable at least because they depend from claim 20.

**Conclusion**

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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